



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

MEMORANDUM

SUBJECT: Official Reprimand

FROM: Naima Halim-Chestnut, Regional Civil Rights Officer

A handwritten signature in dark ink, appearing to be "NHC", written over the name Naima Halim-Chestnut.

TO: Lisa McKinley, EEO Specialist

DATE: October 23, 2013

This memorandum serves as written notice that you are officially reprimanded for refusal to comply with supervisory instructions to cease your inappropriate, disrespectful, unprofessional and disruptive behavior. This reprimand is issued for the efficiency of the federal service and will remain a matter of record in your Official Personal Record for two years from the date you receive it. The facts in support of this reprimand are as follows.

Over the last several months, I have requested repeatedly for you to cease communications that come across as inappropriate, unprofessional, and defiant. On August 21, 2013, I issued you a letter of warning about your behavior and coupled this with a 45 minute discussion with you about your conduct and my expectations of your behavior in the future. In several e-mails, dated throughout September, despite my instructions, you again continued your unprofessional communications and inappropriate conduct by sending inappropriate emails to your supervisor.

Specifically, on September 5, following our weekly phone meeting on your training assignment, you followed up our conversation with a 35 page email to me. In this email, you stated that you were "taken back" that I questioned your ability to conduct training. You were upbeat and supportive of my suggestion to have you lead Civil Rights training for our office on the call; however, the tone and content of your follow-up email was contrary to our conversation. In the 35 page email, you claimed to have 20 years of experience in developing and delivering training, although none referenced work in Civil Rights which was what you and I discussed. You further stated you were doing training "before I was born." Communication of this nature to a supervisor is unprofessional and disrespectful.

After reviewing this email, I again counseled you, instructing you to stop this type of communication/interaction with me. As a result of your description of extensive training experience, I offered you an opportunity to conduct training at an upcoming New Employee Orientation on behalf of the Office of Civil Rights. You turned down this offer, claiming you did not have enough time to prepare. When offered the opportunity to demonstrate the vast experience you claimed to possess, you declined to accept the challenge.

I continued to counsel you on your actions, yet, your disregard of supervisory instructions did not cease. On September 17, 2013, I was copied on correspondence to a team that you led to develop an OCR Diversity Learning Series. In that email, you stated to your group that you would not attend the event. This was the first time you notified me of your intent not to be present at an event that you had responsibility to lead. When I questioned you about your impending absence you indicated that you had an appointment that you could not change. I informed you that your attendance at the event was important. In light of the conflict, I instructed you via email to reschedule the event to a later time. Your response to me was inappropriate and unprofessional.

You disagreed that it was important for you, as leader to attend the event. Furthermore, you stated that "I should know more than anyone if you are a good leader, your team will do just fine in your absence..." Subsequent to this email exchange, you continued to engage in unprofessional, inappropriate and disruptive conduct. First, you were heard slamming your cubicle door and crying. Second, you were heard complaining on the phone about work conditions. Third, you displayed disrespectful conduct at a Water Division Managers meeting that our office were guests at. Specifically, you left the meeting after arriving with your team, you responded to managers' questions in a curt or nonresponsive manner, and you publicly refused to respond when I asked you in the presence of the managers to elaborate on a Civil Rights activity that you led. At the conclusion of the meeting, several managers asked me what was wrong with you and a few of your colleagues questioned their safety around you. Your conduct reflected poorly on yourself and the entire staff of the Office of Civil Rights.

On September 20, 2013, I again tried to have a verbal conversation with you to discuss the circumstances which make this reprimand necessary. At that time, you indicated that you did not want to speak to me about the issue that took place on September 17, 2013 and you did not have anything to say to me about your actions. Your refusal to have discussions with your supervisor is unacceptable and will not be tolerated.

This reprimand is intended to impress upon you the importance of adhering to EPA policies and federal regulation and to dissuade you from engaging in unacceptable behavior in the future. Be advised that any future incident involving this type of behavior will not be tolerated and may result in more severe disciplinary action, inclusive of removal from the federal service. If your conduct is attributable to personal or other problems, I advise you to contact the Employee Assistance Program (770-951-8021 or toll-free at 1-800-869-0276) counselors who are available to EPA employees. The counselors are trained to assist you in dealing with any personal or financial problems. Any information that you share with them is strictly confidential.

You may file a grievance concerning this action under the provisions the EPA Administrative Grievance System, Order # 3110.8 A2, dated April 2, 2001. Your grievance, if you decide to submit one, must be addressed in writing to Ms. Beverly Banister, Acting Deputy Regional Administrator. Your grievance must be filed not later than fifteen (15) calendar days from the date of this memorandum. If you have any questions regarding the procedures for filing a grievance you may contact Carlos Asencio at 404-562-8135.

If you believe that this action was taken in whole or in part because of discrimination based on race, color, religion, sex, national origin, handicap, age, and/or reprisal, you may file an Equal Employment Opportunity (EEO) complaint utilizing EPA's EEO complaint procedures. To do so, you must first contact Ms. Debra Schwartz, Civil Rights Area Director, within forty-five (45) calendar days from the date of this memorandum. Ms. Schwartz can be reached at 702-646-8967.

cc: Human Resources – Employee OPF